

Appln No. 09/684,859

Amdt date March 12, 2004

Reply to Office action of November 14, 2003

REMARKS/ARGUMENTS

The above identified patent application has been amended. No new matter has been added. Claims 1-36 are pending in the application.

The Examiner has objected to the drawings for including a reference sign not mentioned in the description. The specification has now been amended to include this reference sign. The Examiner has also reminded Applicant of the proper language and format for an abstract of the disclosure, pointing out that an abstract is not to exceed 150 words. Applicant has amended the abstract to comply with this limitation.

Claims 1-36 have been rejected by the Examiner under 35 U.S.C. § 102(a) as being anticipated by Kennedy and Truck Fleet Management, taken together as one reference. The filing date of the Kennedy reference is October 29, 1999 and the filing date of the Truck Fleet Management reference is May, 2000. However, the Applicant invented the claimed invention on or before October 29, 1999, and diligently reduced it to practice by October 5, 2000 as set forth in the accompanying Rule 131 declaration. The Applicant has therefore antedated the Kennedy and Truck Fleet Management references and obviated this rejection.

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Accordingly, in view of the above amendments and remarks Applicant submits that the application is now in condition for allowance. The Applicant respectfully requests that claims 1-36 be allowed.

Respectfully submitted,

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ABSTRACT OF THE DISCLOSURE

5 A system and method for continuously monitoring and
updating delivery schedules based on completed deliveries and
customer modifications. A delivery scheduling computer stores
and updates delivery schedule information, notifying the
customer prior to a scheduled delivery of an estimated time of
delivery. The notification is made to a customer's PC,
10 browser-based client, hand-held computer or set-top box, or by
conventional communication methods such as a telephone, pager,
or cellular phone. If the customer desires to change the time
or location of the delivery, the customer transmits a delivery
change request and the schedule is modified accordingly.
15 Employees use a hand-held computer or a browser-based client
to receive updated delivery schedule information, as well as
to transmit a delivery completion message to the delivery
scheduling computer. The message includes an actual delivery
time which the delivery scheduling computer uses to update the
20 estimated delivery times of the remaining deliveries.

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